



Your reference: n/a

Our reference: FOI_24_0700

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 22/08/2024

Dear

Gloucestershire Constabulary Freedom of Information request 2024_0329

On 26/07/2024 you sent an email constituting a request under the Freedom of Information Act asking the following:

Please provide information for each of the following periods, as specified in the tables in the Appendix: 1st April 2023 to 31st March 2024. For the sake of clarity, the below questions refer to pre-arrest searches, hence the references to PACE Code A, wherever the location of the search (on the street, in a police van, in the police station).

In your police force area:

1. What was the total number of stop and searches **for all reasons**, where a **more thorough search** occurred (sometimes referred to as a 'partial strip search') (PACE code A 2023, para. 3.6)? PACE Code A defines a 'more thorough search' at para. 3.6: "*a more thorough search (e.g. by requiring a person to take off a T-shirt) [...] Any search involving the removal of **more than** an outer coat, jacket, gloves, headgear or footwear, or any other item concealing identity*". Please provide data sorted by (self-defined) ethnic group, gender, and age.
2. What was the total number of stop and searches **for all reasons**, where a **more thorough search occurred** (PACE code A 3.6) and it was a **positive search**? Please provide data sorted by (self-defined) ethnic group, gender, and age.
3. What was the total number of stop and searches **for all reasons**, where a search involved **exposure of intimate parts of the body** (sometimes referred to as a 'full strip search') (PACE Code A 2023 3.7)? Please provide data sorted by (self-defined) ethnic group, gender, and age..
4. What was the total number of stop and searches **for all reasons**, where a search involved **exposure of intimate parts of the body** (PACE Code A 3.7) and where it was a **positive search**? By positive search, we mean either "any outcome other than 'no further action'" or "item found, either linked or unlinked to search reason",

depending on what definition is used in your database and is capable of being searched. If a different definition is used to the two provided here, please clarify what definition is being used when providing the data. Please provide data sorted by (self-defined) ethnic group, gender, and age.

5. What was the total number of stop and searches **for drugs** (section 1 Police and Criminal Evidence Act 1984 and section 23(2) Misuse of Drugs Act 1971), where a **more thorough search occurred** (PACE code A 3.6)? Please provide data sorted by (self-defined) ethnic group, gender, and age.
6. What was the total number of stop and searches **for drugs** (section 1 Police and Criminal Evidence Act 1984 and section 23(2) Misuse of Drugs Act 1971), where a **more thorough search occurred** (PACE code A 3.6) and **where drugs were found**? Please provide data sorted by (self-defined) ethnic group, gender, and age.
7. What was the total number of stop and searches **for drugs** (section 1 Police and Criminal Evidence Act 1984 and section 23(2) Misuse of Drugs Act 1971), where a search involved **exposure of intimate parts of the body** (PACE Code A 3.7)? Please provide data sorted by (self-defined) ethnic group, gender, and age.
8. What was the total number of stop and searches **for drugs** (section 1 Police and Criminal Evidence Act 1984 and section 23(2) Misuse of Drugs Act 1971), where a search involved exposure of intimate parts of the body (PACE Code A 3.7) and **where drugs were found**? Please provide data sorted by (self-defined) ethnic group, gender, and age.
9. When providing the data to answer the above questions, please confirm whether the number of more thorough searches involving exposure of intimate parts is **included** in the total number of more thorough searches. For example, if there were 20 'more thorough searches' in the year X and 8 'more thorough searches involving exposure of intimate parts' in the same year X, please confirm whether those 8 MTSEIP have already been counted in the 20 MTS.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary may hold some relevant information.

In regards to questions 2,4,6 and 8 Gloucestershire Constabulary may hold some data however we do not record such instances statistically, nor is it held in a format that would allow extraction within the permitted time constraints.

In order to provide you with a response to these questions would require us to manually review all stop search records. This would far exceed the permitted time constraints, therefore Section 12 of the Act is applicable. This section does not oblige a public authority to comply with a request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

You should consider this to be a refusal notice under Section 17 of the Act for this part of your request.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the

exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1) – Fee Regulations states:

Section 1(1) of the Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

Under Section 16, duty to assist, it is possible to do questions 1, 3, 5 and 7. If you wish to submit a new FOI request on this basis, please email foi@gloucestershire.police.uk with your new request.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary